

1FW/1625

Docket No.
433-US-PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Ask Püschl, et al.

Group Art Unit: 1625

Application No.: 10/551,869

Examiner: Not Yet Assigned

Filed: September 30, 2005

For: 4-(2-Phenylsulfanyl-phenyl)-1,2,3,6-Tetrahydropyridine Derivatives As
Serotonin Reuptake Inhibitors

Date: May 25, 2007

CERTIFICATE OF MAILING
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Sir:

I hereby certify that the following correspondence:

Supplemental Information Disclosure Statement (4 pgs); Information Disclosure Statement (PTO/SB/08a) (3 pgs); Information Disclosure Statement (PTO/SB/08b) (2 pgs); Twenty eight (28) References; and return postcard

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Enrique M. Hurtado

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Alexandria VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In order to ensure compliance with applicants' duty of disclosure under 37 C.F.R. §1.56 and §1.97(a)-(d), applicants request that the following references be considered and made of record in the above-identified application:

1. U.S. Patent No. 3,803,143, issued April 09, 1974 (Tanaka, S., et al.)
2. U.S. Patent No. 4,018,830, issued April 19, 1977 (Christy, M., et al.)
3. U.S. Patent No. 4,055,665, issued October 25, 1977 (Christy, M., et al.)
4. U.S. Patent No. 4,056,632, issued November 01, 1977 (Mehta, N., et al.)
5. U.S. Patent No. 4,198,417, issued April 15, 1980 (Ong, H., et al.)
6. U.S. Patent No. 4,241,071, issued December 23, 1980 (Martin, L., et al.)
7. U.S. Patent No. 5,095,039, issued March 10, 1992 (Mehta, N., et al.)
8. U.S. Patent No. 6,410,736 B1, issued June 25, 2002 (Howard, H., et al.)

9. U.S. Patent No. 6,436,938 B1, issued August 20, 2002 (Howard, H., et al.)
10. U.S. Patent No. 6,596,741 B2, issued July 22, 2003 (Howard, H., et al.)
11. PCT International Publication No. WO 93/12080, published June 24, 1993 (The Wellcome Foundation Limited)
12. PCT International Publication No. WO 97/17325, published May 15, 1997 (Farmak A.S.)
13. PCT International Publication No. WO 97/17352 A1 published May 15, 1997 (Gist-Brocades B.V.)
14. PCT International Publication No. WO 98/08817 published March 5, 1998 (American Home Products Corp.)
15. PCT International Publication No. WO 00/66537, published November 09, 2000 (Kung, Hank, F.)
16. PCT International Publication No. WO 00/59878, published October 12, 2000 (Icos Corp.)
17. PCT International Publication No. WO 01/10842 A2, published February 15, 2001 (Millennium Pharm., Inc.)
18. PCT International Publication No. WO 01/27068 A1, published April 19, 2001 (Pfizer Products Inc.)
19. PCT International Publication No. WO 02/062766 A2, published August 15, 2002 (Millennium Pharm., Inc.)
20. PCT International Publication No. WO 02/098857 A1, published December 12, 2002 (F. Hoffman-La Roche AG)
21. PCT International Publication No. WO 03/055873 A1, published July 10, 2003 (H. Lundbeck A/S)
22. European Publication No. EP 0 273 199 A2, published July 6, 1988 (Laboratoires Hoechst SA)
23. European Publication No. EP 0 396 827 A1, published November 14, 1990 (SPOFA Spojene Podniky Pro)
24. European Publication No. EP 0 402 097 A1, published December 12, 1990 (The Wellcome Foundation Limited)
25. European Publication No. EP 0 755 923 A1, published January 29, 1997 (Suntory Limited)
26. European Publication No. EP 0 814 084 A1, published December 29, 1997 (Eli Lilly and Co.)

27. European Publication No. EP 0 921 124 A1, published June 9, 1999 (Pfizer Limited)
28. Axford, L. et al. "Bicyclo[2.2.1]heptanes as Novel Triple Re-uptake Inhibitors for the Treatment of Depression", *Bioorganic & Medicinal Chemistry Letters*, 2003, pages 3277-3280, vol. 13.
29. Edmond, P., et al. "Substituted Diphenyl Sulfides as Selective Serotonin Transporter Ligands: Synthesis and In Vitro Evaluation", *J. Med. Chem.*, 2002, pages 1253-1258, vol. 45.
30. Hawkins, D.G., et al. "Competitive Cyclisation of Singlet and Triplet Nitrenes. Part 7.¹ Reaction Pathways of 2-Azidophenyl Benzothienyl Azides", *Journal of the Chemical Society, Perkin Transactions I: Organic and Bio-Organic Chemistry*, 1979, pages 3207-3210, No. 12.
31. Jackson, A., et al. "Electrophilic Substitution in Indoles Part 16^{1,2} The Formation of Indolobenzothiazines and Indolobenzothiazepines by Intramolecular Cyclisation of (o-Nitrophenylthio)Indoles", *J. Chem. Res. Miniprint*, 1988, pages 2017-2063, vol. 9.
32. Jilek, J., et al. "Potential antidepressants: 2-(Methoxy- and Hydroxy-Phenylthio)Benzylamines as Selective Inhibitors of 5-Hydroxytryptamine Re-uptake in the Brain", *Collect. Czech. Chem. Commun.*, 1989, pages 3294-3338, vol. 54.
33. Martin, L., et al. "Synthesis of Spiro[isobenzofuran-1(3H),4'piperidines] as Potential Central Nervous System Agents. 5. Conformationally Mobile Analogues Derived by Furan Ring Opening", *J. Med. Chem.*, 1979, pages 1347-1354, vol. 22, No. 11.
34. Oya, S., et al. "A New Single-Photon Emission Computed Tomography Imaging Agent For Serotonin Transporters: [¹²³I]IDAM, 5-Iodo-2-((2-((dimethylamino)methyl)-phenyl)thio)benzyl Alcohol", *J. Med. Chem.*, 1999, pages 333-335, vol.42(3).
35. Oya, S., et al. "New PET Imaging Agent for the Serotonin Transporter: [¹⁸F]ACF (2-[(2-Amino-4-chloro-5-fluorophenyl)thio]-N,N-dimethyl-benzenmethanamine)", *J. Med. Chem.*, 2002, pages 4716-4723, vol.45.
36. Ragno, R., et al. "Docking and 3-D QSAR Studies on Indolyl Aryl Sulfones. Binding Mode Exploration at the HIV-1 Reverse Transcriptase Non-Nucleoside Binding Site and Design of Highly Active N-(2-Hydroxyethyl)carboxamide and N-(2-hydroxyethyl)carbohydrazide Derivatives", *J. Med. Chem.*, 2005, pages 213-223, vol. 48.
37. Silvestri, R., et al. "Novel Indolyl Aryl Sulfones Active Against HIV-1 Carrying NNRTI Resistance Mutations: Synthesis and SAR Studies", *J. Med. Chem.*, 2003, pages 2482-2493, vol. 46.
38. Sindelar, K., et al. "Potential Antidepressants and Inhibitors of 5-Hydroxy-Tryptamine and Noradrenaline Re-uptake in the Brain: N,N-Dimethyl-(Arylthio)Thienylamines and N,N-Dimethyl-2-(Thienylthio)Benzylamines", *Collect. Czech. Chem. Commun.*, 1991, pages 449-458, vol. 56.

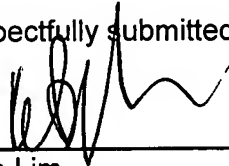
C.F.R. §1.98(a)(2)(i) has been amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application. Accordingly, copies of references 1-10 are not enclosed herewith. Copies of references 11-38 are enclosed herewith.

It is respectfully requested that the Examiner consider the cited references and that a copy of each of the enclosed Forms PTO/SB/08a and Forms PTO/SB/08b be initialed and returned indicating that such information has been considered. Applicants respectfully request that the Examiner make the cited references of record in the subject application.

Applicants are filing this Supplemental Information Disclosure Statement under 37 C.F.R. 1.97(b)(3), before the mailing of a first Office Action on the merits. Accordingly, no fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, in the event that a first Office Action has been mailed but has not yet been received by applicants, applicants hereby request, pursuant to 37 C.F.R. §1.98(c)(2), consideration of this Supplemental Information Disclosure Statement, and authorization is hereby given to charge to Deposit Account No. 503201, ONE HUNDRED AND EIGHTY DOLLARS (\$180.00), which is the amount of the fee under 37 C.F.R. 1.17(p), for filing a Supplemental Information Disclosure Statement pursuant to 37 C.F.R. 1.97(c)(2).

If a telephone interview would be of assistance in advancing prosecution of the above-identified application, applicants' undersigned agent invites the Examiner to telephone him at the number provided below.

Respectfully submitted,



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Paramus, New Jersey 07652
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(201) 225-9571 (fax)



PTO/SB/08A (07-06)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/551,869
Filing Date	September 30, 2005
First Named Inventor	Ask Püschl
Art Unit	1625
Examiner Name	Not Yet Known
Attorney Docket Number	433-US-PCT

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 3,803,143	04-09-1974	Tanaka, S., et al.	
		US- 4,018,830	04-19-1977	Christy, M., et al.	
		US- 4,055,665	10-25-1977	Christy, M., et al.	
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		US- 4,241,071	12-23-1980	Martin, L., et al.	
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		US- 6,410,736 B1	06-25-2002	Howard, H., et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ³
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 93/12080	06-24-1993	The Wellcome Foundation Limited		
		WO 97/17325	05-15-1997	Farmak A.S.		
		WO 97/17352 A1	05-15-1997	Gist-Brocades B.V.		
		WO 98/08817	03-05-1998	American Home Products Corp.		
		WO 00/66537	11-09-2000	Kung, Hank, F.		
		WO 00/59878	10-12-2000	Icos Corp.		

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SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

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Sheet

2

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First Named Inventor

Ask Püschl

Art Unit

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Attorney Docket Number

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 01/10842 A2	02-15-2001	Millennium Pharm., Inc.		
		WO 01/27068 A1	04-19-2001	Pfizer Products Inc.		
		WO 02/062766 A2	08-15-2002	Millennium Pharm., Inc.		
		WO 02/098857 A1	12-12-2002	F. Hoffman-La Roche AG		
		WO 03/055873 A1	07-10-2003	H. Lundbeck A/S		
		EP 0 273 199 A2	07-06-1988	Laboratoires Hoechst SA		

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		EP 0 396 827 A1	11-14-1990	SPOFA Spojene Podniky Pro		
		EP 0 402 097 A1	12-12-1990	The Wellcome Foundation Limited		
		EP 0 755 923 A1	01-29-1997	Suntory Limited		
		EP 0 814 084 A1	12-29-1997	Eli Lilly and Co.		
		EP 0 921 124 A1	09-06-1999	Pfizer Limited		

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NON PATENT LITERATURE DOCUMENTS

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		Axford, L., et al. "Bicyclo[2.2.1]heptanes as Novel Triple Re-uptake inhibitors for the Treatment of Depression", Bioorganic & Medicinal Chemistry Letters, 2003, pages 3277-3280, vol. 13.	
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		Oya, S., et al. "A New Single-Photon Emission Computed Tomography Imaging Agent for Serotonin Transporters: [123I] IDAM, 5-Iodo-2-((2-((dimethylamino)methyl)-phenyl)thio)benzyl Alcohol", J. Med. Chem., 1999, pages 333-335, vol. 42 (3).	
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				First Named Inventor	Ask Püschl
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Sheet	2	of	2	Attorney Docket Number	433-US-PCT

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Sindelar, K., et al. "Potential Antidepressants and Inhibitors of 5-Hydroxy-Tryptamine and Noradrenaline Re-Uptake in the Brain: N,N-Dimethyl-(Arylthio)Thenylamines and N,N-Dimethyl-2-(Thienylthio) Benzylamines", Collect. Czech. Chem. Commun., 1991, pages 449-458, vol. 56.	

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